के० लो० नि० वि० में स्थानांतरण

1531. **श्री गुफरान आज़म :** क्या शहरी विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय लोक निर्माण विभाग में, विभागीय मैन्युअल खण्ड 1 में विहित नियमों के अनुसार, लेखा शाखा से पत्राचार शाखा और पत्राचार शाखा से लेखा शाखा में स्थानांतरण किये जा रहे हैं ;

(ख) यदि हां, तो क्या सिविल और विद्युत दोनों ही विभागों में इस तरह के स्थानांतरण किये जा रहे हैं ; और

(ग) यदि नहीं, तो सर्किलों और डिविजनों में कितने-कितने व्यक्ति तीन वर्ष से भी अधिक समय से एक ही अनुभाग में कार्य कर रहे हैं।

शहरी विकास मंत्रालय में राज्य मंत्री (श्री एम० अरुणाचलम) : (क) और (ख) इस विषय पर मैनुअल खण्ड 1 में शामिल किए गए दिशा निर्देशों का संभव सीमा तक अनुपालन किया जा रहे है।

(ग) इस प्रकार की तैनातियों और स्थानांतरणों के ब्यौरे केन्द्रीय रूप से नहीं रखे जाते हैं। मुख्यतः कार्य की अत्यावश्यकता को पूरा करने के लिए ऐसी तैनातियां/स्थानांतरण किए जाते हैं।

Subletting of Government Quarters in Minto Road, New Delhi

1532. SHRI MOHD. KHALEELUR RAHMAN : Will the Minister of URBAN DEVELOPMENT be pleased to state :

(a) whether Government have made any survey in the Type-II quarters in Minto Road, New Delhi, especially Nos. 65—96 to know the subletting of quarters ;

(b) if so, the details thereof ;

(c) if not, the reasons therefor ; and

(d) by when the survey is likely to be conducted to evict the unscruplous and unauthorised tenants from Government quarters ?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (d) There is no system of periodical surveys of quarters in Government colonies for detection of subleting. However, enquiries are conducted whenever a complaint is received or even otherwise. In the area mentioned, while no general survey has been carried out but recently a complaint on subletting has been received and necessary enquiries will be made and action taken to evict the unauthorised occupants from the Government quarters in case subletting is proved.

Requisitioning and acquisition of immovable Property Act, 1952

1533. SHRI ASHOK NATH VERMA :
SHRIMATI PRATIBHA SINGH :

Will the Minister of URBAN DEVELOPMENT be please to refer to the answer to Unstarred Question 4330 given in the Rajya Sabha on 27th March, 1992 and and state :

(a) whether it is a fact that Requisitioning and Acquisition of Immovable Property Amendment Act was passed in 1970 and no amendment was made in 1980 (35 of 1980) except the Amendment Act 1985 by which release of requisitioned property was extended for two years only, if so, what are the details thereof ;

(b) what are the details of section 6 of the said Act regarding release of requisitioned properties, serial wise, after specific period ;

(c) whether after completion of 17 years, requisitioned properties in Union Territiry of Delhi have been released or ordered to be released without delay, if so, what are the details thereof ; and

(d) if not, what are the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) By an

amendment made in 1970, the Requisitioning and Acquisition of Immovable Property Act, 1952 was made a permanent Act. It also laid down, *inter-alia*, a period of three years for which a property could be requisitioned. By virtue of this amendment properties requisitioned on or before 11-3-70 were to be released upto 11-3-73. By an amendment made in 1980 (35 of 1980) this period of requisitioning was raised upto 15 years. By a further amendment, made in 1985, this period was further extended to two more years, thereby providing that properties requisitioned on or before 11-3-70 should be released up to 10-3-87 .

(b) The provisions of Section 6 of the RAIP Act, 1952 are given in the attached statement (*See below*).

(c) and (d) The Government has not issued individual orders for release of requisitioned properties. It is for the concerned requisitioning Agency to take action for release of requisitioned properties as per existing provisions of the Act. No such statistic are maintained centrally.

Statement

Section 6 of Requisitioning and Acquisition of Immovable Property Act, 1952

Release from requisitioning

6. (1) The Central Government may at any time release from requisition any property requisitioned under this Act and shall, as far as possible, restore the property in as good a condition as it was when possession thereof was taken subject only to the changes caused by reasonable wear and tear and irresistible force :

Provided that where the purposes for which any requisitioned property was being used cease exist, the Central Government shall, unless the property is acquired under section 7, release that property, as soon as may be, from requisition.

(1A) Notwithstanding anything contained in sub-section (1), the Central Government shall release from requisition,—

(a) any property requisitioned or deemed to be requisitioned under this Act before the commencement of the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1970, on or before the expiry of a period of seventeen years) from such commencement ;

(b) any property requisitioned under this Act after such commencement on or before the expiry of a period of (seventeen years) from the date on which possession of such property was surrendered or delivered to, or taken by, the competent authority under section 4, unless such property is acquired under section 7 within the period of (seventeen years) aforesaid).

(2) Where any property is to be released from requisition (under sub-section (1) or sub-section (1A), the competent authority may, after such inquiry, if any, as it may in any case consider necessary to make or cause to be made, specify by order in writing the person to whom possession of the property shall be given and such possession shall, as far as practicable, be given to the person from whom possession was taken at the time of the requisition or to the successors-in-interest of such person.

(3) The delivery of possession of the property to the person specified in an order under sub-section (2) shall be a full discharge of the Central Government from all liability in respect of the property, but shall not prejudice any rights in respect of the property which any other person may be entitled by due process of law to enforce against the person to whom sessession of the property is given.

(4) Where any person to whom possession of any requisitioned property is to be given is not found and has no agent or other person empowered to accept delivery or his behalf, the competent authority shall cause a notice declaring that the property is released from requisition to be affixed on some conspicuous part of the property and shall also publish the notice in the Official Gazette.

(5) When a notice referred to in sub-section (4) is published in the Official

Gazette, the Property specified in such notice shall cease to be subject to requisition on and from the date of such publication and shall be deemed to have been delivered to the person entitled to possession thereof and the Central Government shall not be liable for any compensation or other claim in respect of the property for any period after the said date.

(6) Where any property requisitioned under this Act or any material part thereof is wholly destroyed or rendered substantially and permanently unfit for the purpose for which it was requisitioned by reason of fire, earth-quake, tempest, flood or violence of any army or of a mob or other irresistible force, the requisition shall, at the option of the Central Government, be void :

Provided that the benefit of this sub-section shall not be available to the Central Government where the injury to such property is caused by any wrongful act or default of that Government.

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[1]Ins. by Act 1 of 1970, s. 3.

[2]Subs. by Act 35 of 1980, s. 2, for "ten years" (w.e.f. 7-3-1980).

[3]By amendment (2 of 1985).

Gram Vihar Co-Operative Group Housing Society

1534. SHRI HARVENDRA SINGH HANSPAL : Will the Minister of URBAN DEVELOPMENT be pleased to state :

(a) whether it is a fact that any of the cooperative group housing societies frequently change their addresses, thereby causing difficulties to their members ;

(b) the place where the office of Gram Vihar Cooperative Group Housing Society is located and the names of its office-bearers ;

(c) whether the office-bearers have DDA flats either in their name or in the name of their family members or they are registered with the DDA for the purpose ;

(d) if so, the reasons therefor ;

(e) the number of such people who are the members of Group Housing Society and the action being taken by Government in this regard ;

(f) at what place the society telephone is presently functioning, the address thereof ; and

(g) the number of times the office of Society shifted during the last six months and the addresses of the society during the last six months ?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Sometimes the Group Housing Societies do change their addresses.

(b) As on date the address of the Gram Vihar Cooperative Group Housing Society is C-III/247, Lodhi Colony, New Delhi. The names of the office bearers elected on 2-12-90 are indicated below :

Shri D. R. Vohra	: President
Shri Rajiv Chaddha	: Vice-President
Shri S.K. Pandey	: Secretary
Shri J.L. Khanna	: Treasurer

(c) to (e) According to the rules, every member of a Cooperative Group Housing Society is required to file an affidavit both at the time of enrolment as a member and at the time of allotment of flat that they and/or their dependents do not own land or flats in Delhi. The list of members eligible for allotment of flats is cleared by Registrar Cooperatve Societies after the scrutiny once the construction is over. In this instant case the society has not even been allotted land by the DDA, so far, and therefore, all the formalities may not have been completed.

(f) The Society has informed that its telephone is presently functioning at 164, LIG flats, Hastsal, New Delhi-59, residence of the President of the Society.